

May 23, 2008

Nancy Smith

Sunnyvale, California 94086

Office of General Counsel
Federal Election Commission
999 E Street N.W.
Washington, D.C. 20463

MUR # 6019

2008 MAY 30 A 9 46

FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

Dear Office of General Counsel,

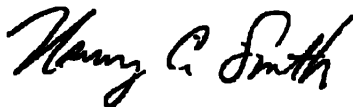
When I received the enclosed political mailing from Mr. Kasperzak, I thought it was a letter from Barack Obama's campaign. As you can see, it is actually a mailer in support of a candidate for California Assembly District 22, Dominic Caserta. I was appalled to see the photo of candidate Hillary Clinton included in the same mailer. In the letter, Mike Kasperzak writes that he is a precinct captain for Barack Obama, the envelope and letterhead both clearly state "Barack Obama for President," and he expresses his support for Dominic Caserta's candidacy for state assembly.

I support Hillary Clinton, and I object to Mr. Kasperzak promoting Barack Obama with this mailer paid for by the Caserta campaign.

This mailing is not only highly inappropriate, it also violates the Code of Federal Regulations regarding use of non-federal funds. As I understand the regulations, no state office holder, candidate for state office, or any representative of such a person can legally use funds for state-based elections to promote a candidate for federal office.

I would very much appreciate it if your office would investigate these practices and this apparent misuse of funds.

Sincerely,



Nancy C. Smith

29044233569

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of Santa Clara

On MAY 23, 2008 before me, CHRISTINE ECKMAN, Notary Public
(Here insert name and title of the officer)

personally appeared NANCY C. SMITH

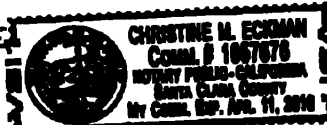
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

~~DOCUMENT HAS BEEN SIGNED AND SWORN TO BEFORE ME~~

WITNESS my hand and official seal.

[Signature]
Signature of Notary Public



(Notary Seal)

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

FEC COMPLAINT

(Title or description of attached document)

(Title or description of attached document continued)

Number of Pages 1 Document Date 5/23/2008

(Additional information)

CAPACITY CLAIMED BY THE SIGNER

- ☒ Individual (s)
☐ Corporate Officer

(Title)

- ☐ Partner(s)
☐ Attorney-in-Fact
☐ Trustee(s)
☐ Other _____

INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be properly completed and attached to that document. The only exception is if a document is to be recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/they, is /are) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
 - ✦ Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
 - ✦ Indicate title or type of attached document, number of pages and date.
 - ✦ Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document



R. MICHAEL KASPERZAK
PRECINCT CAPTAIN IN SANTA CLARA COUNTY
BARACK OBAMA for PRESIDENT

Dear Democratic Friend:

Whether you support Barack Obama (as I do) or Hillary Clinton, there is one Democratic candidate we can all agree on: **Dominic Caserta for State Assembly.**

Dominic, a fifth-generation Santa Clara County resident, has been a high school Civics and Economics teacher for more than a decade. He's also been elected twice to the Santa Clara City Council, where he helped establish the city's nationally recognized Green Power Program (which lets residents choose wind or solar energy).

Dominic opposes budget cuts to education. He will help reform our schools so that every student, not just the college-bound, can find productive, rewarding work in our high-tech society.

I hope you'll join me on June 3 in voting for **Dominic Caserta, a progressive Democrat with energy and fresh ideas** – and the best candidate for State Assembly.

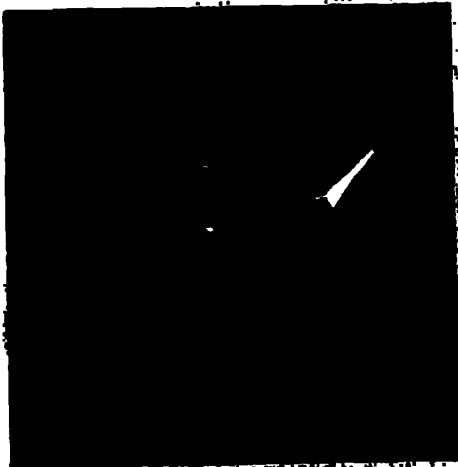
Sincerely,

Precinct Captain in Santa Clara County
Barack Obama for President

P.S. Dominic will vote to stop health insurance companies from dumping people who develop costly illnesses.

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Hillary and Dominic - San Jose 2008

Dear Fellow Democrats:

I am thrilled that we have two outstanding Democratic candidates running for President.

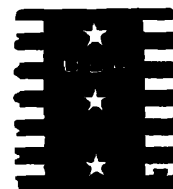
I've been endorsed by local leaders of the **Barack Obama for President** campaign.

I am also honored to have spoken at a recent **Hillary Clinton for President** rally.

Dominic Caserta
DEMOCRAT *for* STATE ASSEMBLY



R. MICHAEL KASPERZAK
PRECINCT CAPTAIN IN SANTA CLARA COUNTY
BARACK OBAMA *for* PRESIDENT



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WADE & NANCY SMITH

SUNNYVALE CA 94086-8748